

1 - 14 - 05 PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

or **Fax** (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee correspondence.

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22977 7590 01/03/2005

ROBERT J HERBERGER
MCLAUGHLIN AND MCNALLY
500 CITY CENTRE ONE
P O BOX 507
YOUNGSTOWN, OH 445010507

Via Express Mail
ER 528759917 US

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for ~~first class mail~~ in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

| | |
|---------------------|--------------------|
| Robert J. Herberger | (Depositor's name) |
| <i>[Signature]</i> | (Signature) |
| January 13, 2005 | (Date) |

01/18/2005 YPOLITE2 00000018 10663958

01 FC:1501 1400.00 DP

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

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|------------|------------|--------------------|---------|------|
| 10/663,958 | 09/16/2003 | Richard J. Confoey | 4335.00 | 2672 |
|------------|------------|--------------------|---------|------|

TITLE OF INVENTION: TOWABLE EARTH WORKING APPARATUS HAVING ADJUSTABLE WHEEL HEIGHT

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|-------------|--------------|-----------|-----------------|------------------|----------|
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|----------------|----|--------|-----|--------|------------|
| nonprovisional | NO | \$1400 | \$0 | \$1400 | 04/04/2005 |
|----------------|----|--------|-----|--------|------------|

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|----------|----------|----------------|
|----------|----------|----------------|

| | | |
|----------------------|------|------------|
| PEZZUTO, ROBERT ERIC | 3671 | 172-799500 |
|----------------------|------|------------|

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Robert J. Herberger

2. _____

3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Sekely Industries, Inc.

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Salem, Ohio

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 13-2494 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature *[Signature]*

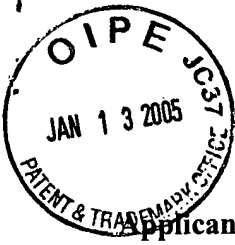
Date January 13, 2005

Typed or printed name Robert J. Herberger

Registration No. 37,042

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Confoey, Richard J. **Art Unit:** 3671
Serial No.: 10/663,958 **Examiner:** Pezzuto, Robert Eric
Filed: 09/16/2003 **Docket No.:** 4335.00
Title: Towable earth working apparatus having adjustable wheel height

Customer Number: 22977

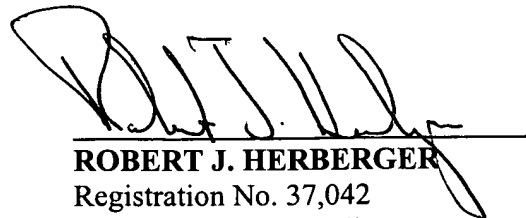
To the Commissioner of Patents
Mail Stop Issue Fee
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF PAYMENT OF ISSUE FEE (37 CFR 1.311)

Applicant hereby submits payment of the issue fee and encloses the attached Issue Fee Transmittal Form PTOL-85 dated January 13, 2005 and having Confirmation No. 2672. The application was filed on September 16, 2003. Enclosed please find a check in the amount of \$1400.00. The Commissioner is hereby authorized to charge to Account No. 13-2494 any deficiency which may be due. An extra copy of PTOL-85 is enclosed for the Examiner's convenience.

EXPRESS MAILING CERTIFICATE

I hereby certify that this **Transmittal of Payment of Issue Fee and Form PTOL-85** are being mail via Express Mail having Tracking No. **ER 528759917 US** on this 13th day of January, 2005 and is addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.


ROBERT J. HERBERGER
Registration No. 37,042
McLaughlin & McNally
500 City Centre One
P.O. Box 507
Youngstown, Ohio 44501-0507
(330) 744-4481